

Remarks

The Office action mailed November 26, 2007, has been reviewed and carefully considered. Claims 17 and 18 have been amended to recite a channel voidage ratio that is found on page 18, lines 10-14, of the current application. Entry of the amendments to claims 17 and 18 is respectfully requested.

35 U.S.C. §112 Rejection

The present amendments to claims 17 and 18 renders the 35 U.S.C. §112 rejection moot.

Double Patenting Rejections

Claims 1-11 and 16-18 have been rejected for obviousness-type double patenting in view of:

- (a) Claims 1-30 of U.S. Patent No. 7,097,925 in view of U.S. Patent No. 6,902,602;
- (b) Claims 1-92 of U.S. Patent No. 7,087,331 in view of U.S. Patent No. 6,902,602;
- (c) Claims 1-16 of U.S. Patent No. 6,921,597 in view of U.S. Patent No. 6,902,602;
- (d) Claims 1, 4, 5, 7-9 and 21-30 of co-pending U.S. Appl. No. 10/389,541; and
- (e) Claims 1, 4, 7 and 12-16 of U.S. Appl. No. 10/671,750 (now U.S. Patent No. 7,285,350) in view of U.S. Patent No. 6,902,602.

U.S. Patent No. 6,902,602 ('602 patent) is relied upon in four of the five double patenting rejections. Submitted herewith is a terminal disclaimer directed to the '602 patent, thus removing the '602 as a "reference" for purposes of double patenting. Accordingly, rejections (a)-(c) and (e) listed above must be withdrawn.

Also submitted herewith is a terminal disclaimer directed to U.S. Appl. No. 10/389,541, thus obviating rejection (d) listed above.

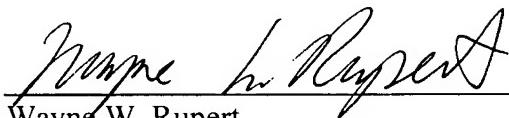
It is respectfully submitted that the present application is in condition for allowance. Should there be any questions regarding this application, Examiner Crepeau is invited to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By


Wayne W. Rupert
Registration No. 34,420